

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E. JEAN CARROLL,

Plaintiff,

v.

DONALD J. TRUMP,

Defendant.

Civil Action No.: 22-cv-10016

ANSWER

Jury Trial Demanded

The defendant, Donald J. Trump (“Defendant”), subject to and reserving all rights, for his Answer to the Complaint, says:

1. Defendant denies the allegations set forth in Paragraph 1 of the Complaint.
2. Defendant denies the allegations set forth in Paragraph 2 of the Complaint.
3. Defendant denies the allegations set forth in Paragraph 3 of the Complaint.
4. Defendant denies the allegations set forth in Paragraph 4 of the Complaint.
5. Defendant denies the allegations set forth in Paragraph 5 of the Complaint.
6. Defendant denies the allegations set forth in Paragraph 6 of the Complaint.
7. Defendant denies the allegations set forth in Paragraph 7 of the Complaint.
8. Defendant denies the allegations set forth in Paragraph 8 of the Complaint.
9. Defendant denies the allegations set forth in Paragraph 9 of the Complaint.
10. Defendant denies the allegations set forth in Paragraph 10 of the Complaint.
11. Defendant denies the allegations set forth in Paragraph 11 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 11 of the Complaint.
12. Defendant denies the allegations set forth in Paragraph 12 of the Complaint.

13. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 13 of the Complaint.

14. As to Paragraph 14, Defendant admits only that he served as the 45th President of the United States and is a resident of the State of Florida.

15. Defendant denies the allegations set forth in Paragraph 15 of the Complaint as the allegations set forth a legal conclusion,

16. Defendant denies the allegations set forth in Paragraph 16 of the Complaint as the allegations set forth a legal conclusion,

17. Defendant denies the allegations set forth in Paragraph 17 of the Complaint as the allegations set forth a legal conclusion,

18. Defendant denies the allegations set forth in Paragraph 18 of the Complaint.

19. Defendant denies the allegations set forth in Paragraph 19 of the Complaint.

20. Defendant denies the allegations set forth in Paragraph 20 of the Complaint.

21. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 21 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

22. Defendant denies the allegations set forth in Paragraph 22 of the Complaint.

23. Defendant denies the allegations set forth in Paragraph 23 of the Complaint.

24. Defendant denies the allegations set forth in Paragraph 24 of the Complaint.

25. Defendant denies the allegations set forth in Paragraph 25 of the Complaint.

26. Defendant denies the allegations set forth in Paragraph 26 of the Complaint.

27. Defendant denies the allegations set forth in Paragraph 27 of the Complaint.

28. Defendant denies the allegations set forth in Paragraph 28 of the Complaint.

29. Defendant denies the allegations set forth in Paragraph 29 of the Complaint.
30. Defendant denies the allegations set forth in Paragraph 30 of the Complaint.
31. Defendant denies the allegations set forth in Paragraph 31 of the Complaint.
32. Defendant denies the allegations set forth in Paragraph 32 of the Complaint.
33. Defendant denies the allegations set forth in Paragraph 33 of the Complaint.
34. Defendant denies the allegations set forth in Paragraph 34 of the Complaint.
35. Defendant denies the allegations set forth in Paragraph 35 of the Complaint.
36. Defendant denies the allegations set forth in Paragraph 36 of the Complaint.
37. Defendant denies the allegations set forth in Paragraph 37 of the Complaint.
38. Defendant denies the allegations set forth in Paragraph 38 of the Complaint.
39. Defendant denies the allegations set forth in Paragraph 39 of the Complaint.
40. Defendant denies the allegations set forth in Paragraph 40 of the Complaint.
41. Defendant denies the allegations set forth in Paragraph 41 of the Complaint.
42. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 42 of the Complaint.
43. Defendant denies the allegations set forth in Paragraph 43 of the Complaint.
44. Defendant denies the allegations set forth in Paragraph 44 of the Complaint.
45. Defendant denies the allegations set forth in Paragraph 45 of the Complaint.
46. Defendant denies the allegations set forth in Paragraph 46 of the Complaint.
47. Defendant denies the allegations set forth in Paragraph 47 of the Complaint.
48. Defendant denies the allegations set forth in Paragraph 48 of the Complaint.
49. Defendant denies the allegations set forth in Paragraph 49 of the Complaint.
50. Defendant denies knowledge or information sufficient to form a belief as to the

truth of the allegations set forth in Paragraph 50 of the Complaint.

51. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 51 of the Complaint.

52. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 52 of the Complaint.

53. Defendant denies the allegations set forth in Paragraph 53 of the Complaint.

54. Defendant denies the allegations set forth in Paragraph 54 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 54 of the Complaint.

55. Defendant denies the allegations set forth in Paragraph 55 of the Complaint.

56. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 56 of the Complaint.

57. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 57 of the Complaint.

58. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 58 of the Complaint.

59. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 59 of the Complaint.

60. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 60 of the Complaint.

61. Defendant denies the allegations set forth in Paragraph 61 of the Complaint.

62. Defendant denies the allegations set forth in Paragraph 62 of the Complaint.

63. Defendant denies the allegations set forth in Paragraph 63 of the Complaint.

64. Defendant denies the allegations set forth in Paragraph 64 of the Complaint.
65. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 65 of the Complaint.
66. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 66 of the Complaint.
67. Defendant denies the allegations set forth in Paragraph 67 of the Complaint.
68. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 68 of the Complaint.
69. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 69 of the Complaint.
70. Defendant denies the allegations set forth in Paragraph 70 of the Complaint.
71. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 71 of the Complaint.
72. Defendant denies the allegations set forth in Paragraph 72 of the Complaint.
73. Defendant denies the allegations set forth in Paragraph 73 of the Complaint.
74. Defendant denies the allegations set forth in Paragraph 74 of the Complaint.
75. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 75 of the Complaint.
76. Defendant denies the allegations set forth in Paragraph 76 of the Complaint.
77. Defendant denies the allegations set forth in Paragraph 77 of the Complaint.
78. Defendant denies the allegations set forth in Paragraph 78 of the Complaint.
79. Defendant denies the allegations set forth in Paragraph 79 of the Complaint.
80. Defendant denies the allegations set forth in Paragraph 80 of the Complaint and

respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

81. Defendant denies the allegations set forth in Paragraph 81 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

82. Defendant admits that the Defendant issued the referenced statements set forth in Paragraph 82 and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

83. Defendant admits that the Defendant issued the referenced statements set forth in Paragraph 83 and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

84. Defendant admits that the Defendant issued the referenced statements set forth in Paragraph 84 and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

85. Defendant admits that the Defendant issued the referenced statements set forth in Paragraph 85 and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

86. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 86 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

87. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 87 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

88. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 88 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

89. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 89 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

90. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 90 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

91. Defendant denies the allegations set forth in Paragraph 91 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 91 of the Complaint.

92. Defendant admits that the Defendant issued the referenced statements set forth in Paragraph 92 and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

93. Defendant admits that he made the statement on Truth Social, but denies the balance of the allegations set forth in Paragraph 93.

94. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 94 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

95. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 95 of the Complaint and respectfully refers the Court to the cited documents for the true, accurate, and contextual meaning thereof.

96. Defendant denies the allegations set forth in Paragraph 96.
97. Defendant denies the allegations set forth in Paragraph 97.
98. Defendant denies the allegations set forth in Paragraph 98.
99. Defendant denies the allegations set forth in Paragraph 99.
100. Defendant denies the allegations set forth in Paragraph 100.
101. Defendant denies the allegations set forth in Paragraph 101 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 101 of the Complaint.
102. Defendant denies the allegations set forth in Paragraph 102 of the Complaint.
103. Defendant denies the allegations set forth in Paragraph 103 of the Complaint.
104. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 104 of the Complaint.
105. Defendant denies the allegations set forth in Paragraph 105 of the Complaint.
106. Defendant denies the allegations set forth in Paragraph 106 of the Complaint.
107. Defendant denies the allegations set forth in Paragraph 107 of the Complaint.
108. Defendant denies the allegations set forth in Paragraph 108 of the Complaint.
109. Defendant denies the allegations set forth in Paragraph 109 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 109 of the Complaint.
110. Defendant denies the allegations set forth in Paragraph 110 of the Complaint.
111. Defendant denies the allegations set forth in Paragraph 111 of the Complaint.
112. Defendant denies the allegations set forth in Paragraph 112 of the Complaint.
113. Defendant denies the allegations set forth in Paragraph 113 of the Complaint.

114. Defendant denies the allegations set forth in Paragraph 114 of the Complaint.

115. Defendant denies the allegations set forth in Paragraph 115 of the Complaint.

116. Defendant denies the allegations set forth in Paragraph 116 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 116 of the Complaint.

117. Defendant denies the allegations set forth in Paragraph 117 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 117 of the Complaint.

118. Defendant denies the allegations set forth in Paragraph 118 of the Complaint.

119. Defendant denies the allegations set forth in Paragraph 119 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 119 of the Complaint.

120. Defendant denies the allegations set forth in Paragraph 120 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 120 of the Complaint.

CAUSES OF ACTION

COUNT I

Battery

121. Defendant incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

122. Defendant denies the allegations set forth in Paragraph 122 of the Complaint.

123. Defendant denies the allegations set forth in Paragraph 123 of the Complaint.

124. Defendant denies the allegations set forth in Paragraph 124 of the Complaint.

125. Defendant denies the allegations set forth in Paragraph 125 of the Complaint as the

allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 125 of the Complaint.

126. Defendant denies the allegations set forth in Paragraph 126 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 126 of the Complaint.

COUNT II
Defamation

127. Defendant incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

128. Defendant denies the allegations set forth in Paragraph 128 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 128 of the Complaint.

129. Defendant denies the allegations set forth in Paragraph 129 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 129 of the Complaint.

130. Defendant denies the allegations set forth in Paragraph 130 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 130 of the Complaint.

131. Defendant denies the allegations set forth in Paragraph 131 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 131 of the Complaint.

132. Defendant denies the allegations set forth in Paragraph 132 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 132 of the Complaint.

133. Defendant denies the allegations set forth in Paragraph 133 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 133 of the Complaint.

134. Defendant denies the allegations set forth in Paragraph 134 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 134 of the Complaint.

135. Defendant denies the allegations set forth in Paragraph 135 of the Complaint as the allegations set forth a legal conclusion. To the extent that a response is required, Defendant denies the allegations set forth in Paragraph 135 of the Complaint.

GENERAL DENIAL

Each numbered paragraph in this Answer responds to the identically numbered paragraph in the Complaint. Defendant denies any allegations contained in the headings and subheadings throughout the Complaint. Defendant denies all allegations, declarations, claims or assertions in the Complaint that are not specifically admitted in this Answer.

ADDITIONAL DEFENSES

As separate, additional defenses to the Complaint and the purported causes of action therein, but without assuming the burden of proof with regard to these defenses, Defendant alleges as follows:

FIRST AFFIRMATIVE DEFENSE

136. The Complaint fails to state a cause of action.

SECOND AFFIRMATIVE DEFENSE

137. The alleged defamatory statements are privileged or protected by one or more immunities, including, but not limited to, under the Constitution of the United States.

THIRD AFFIRMATIVE DEFENSE

138. The challenged statements are protected by and privileged under Article I, Section 8 to the New York State Constitution.

FOURTH AFFIRMATIVE DEFENSE

139. The alleged defamatory statements are true.

FIFTH AFFIRMATIVE DEFENSE

140. Some or all of the statements at issue are matters of opinion that are not capable of being proven true or false.

SIXTH AFFIRMATIVE DEFENSE

141. The alleged defamatory statements are with respect to a public person.

SEVENTH AFFIRMATIVE DEFENSE

142. The alleged defamatory statements are not reasonably capable of the defamatory meaning attributed to them by Plaintiff.

EIGHTH AFFIRMATIVE DEFENSE

143. The claims set forth in Plaintiff's Complaint are unconstitutional.

NINTH AFFIRMATIVE DEFENSE

144. Plaintiff's claims are barred because her damages, if any, were caused by acts of third persons, for which Defendant is not responsible.

TENTH AFFIRMATIVE DEFENSE

145. Plaintiff is a public figure for purposes of this case, and Defendant did not publish with actual malice.

ELEVENTH AFFIRMATIVE DEFENSE

146. Plaintiff is not entitled to punitive damages as a matter of law.

TWELFTH AFFIRMATIVE DEFENSE

147. Plaintiff is not entitled to injunctive relief as a matter of law.

THIRTEENTH AFFIRMATIVE DEFENSE

148. Plaintiff is not entitled to counsel fees and/or costs as a matter of law.

FOURTEENTH AFFIRMATIVE DEFENSE

149. Plaintiff has not sufficiently pled defamation *per se*.

FIFTEENTH AFFIRMATIVE DEFENSE

150. Plaintiff has failed to plead damages with the required specificity.

SIXTEENTH AFFIRMATIVE DEFENSE

151. Neither Defendant nor the challenged statements proximately caused any injury that the Plaintiff allegedly suffered.

SEVENTEENTH AFFIRMATIVE DEFENSE

152. Plaintiff has not suffered special damages.

EIGHTEENTH AFFIRMATIVE DEFENSE

153. Plaintiff has not sufficiently pled defamation.

NINETEENTH AFFIRMATIVE DEFENSE

154. Plaintiff's claim is barred due to prior pending action filed by the Plaintiff.

TWENTIETH AFFIRMATIVE DEFENSE

155. CPLR 214-J violates the due process clause of the New York State Constitution.

TWENTY-FIRST AFFIRMATIVE DEFENSE

156. Plaintiff's claims are time-barred by the applicable statute(s) of limitations.

TWENTY-SECOND AFFIRMATIVE DEFENSE

157. Plaintiff has not sufficiently pled the cause of action of battery.

TWENTY-THIRD AFFIRMATIVE DEFENSE

158. Defendant hereby reserves the right to assert all affirmative defenses available under any applicable federal and state law, and to assert any cross-claims, counterclaims and third-party claims when and if they become appropriate in this action.

WHEREFORE, Defendant respectfully requests that this Court:

- (1) Deny any and all relief sought by Plaintiff in this Complaint;
- (2) Deny any and all purported damages sought by Plaintiff in the Complaint;
- (3) Award counsel fees, costs, and any further relief as this Court may be deem just and proper.

Dated: New York, New York
January 27, 2023



Alina Habba, Esq.
HABBA MADAIO & ASSOCIATES LLP
1430 US Highway 206, Suite 240
Bedminster, New Jersey 07921
-and-
112 West 34th Street, 17th & 18th Floors
New York, New York 10120
Telephone: (908) 869-1188
Facsimile: (908) 450-1881
E-mail: ahabba@habbalaw.com

Counsel for Defendant, Donald J. Trump